

**DEPARTMENT OF PUBLIC SAFETY**

DIVISION OF POLICE

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December 10, 2007

Honorable Members of the Senate Judiciary Committee,

Like many other cities throughout the state, Livonia requires individuals desiring to engage in certain occupations to obtain a business license. Some of activities mandating a license are ice cream vendors, door-to-door solicitors, and taxi cab drivers. These businesses contact a large and potentially vulnerable segment of the population.

In Livonia, the police department is directed to conduct a background investigation on any business application. Upon the police department's approval the application is forwarded to the City Clerk's office for further processing. If all the requirements are met the applicant is issued a pictured license to be carried on or about his person while engaged in the business. This process is designed to prevent individuals who may pose a public safety concern from contacting and victimizing our citizens, especially the elderly and children.

Currently, the scope of the investigation is limited to a "name only" criminal history background check for Michigan arrests only, through I.C.H.A.T., (Internet Criminal History Access Tool). The applicant is required to obtain their own I.C.H.A.T. record check at a cost of \$10.00 and submit the response with their application. We will also check our own files for any arrests. The policy of the Criminal Justice Information Center and Michigan L.E.I.N. Policy Council prohibit running a criminal history record check for local licensing purposes, as well as, a check for any outstanding warrants and/or driving record status via L.E.I.N.

Applicants are required to produce a pictured driver's license or some other personal identification document upon application for a business license. Many companies will bring in persons from out of state for door-to-door solicitations. Given the proliferation of false identification and identity theft in today's society there is no way of knowing for certain that the name on the identification or license is actually that person. Even if it is the right person there is no way of ascertaining whether the individual was ever convicted of a serious crime in another state. Conceivably a convicted sex offender or other serious felon from another state could be issued a license.

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Thus, citizens are given a false sense of security that the solicitor on their porch or person selling ice cream to their kids and displaying a valid City of Livonia license has been thoroughly investigated and approved by the city. **It is time for the safety concerns of the citizens to take precedence over individuals with criminal records.**

This can be achieved by requiring the individual applicants to submit their fingerprints to the Federal Bureau of Investigation for a national check of criminal history records. According to the F.B.I., if the State of Michigan Legislature were to adopt an umbrella statute giving counties and municipalities the ability to submit the applicant's fingerprints to the State Police for both a state and national (through the F.B.I.) check of criminal records, such information could be lawfully obtained as part of the business licensing process. It would then be up to each county or municipality throughout the State to enact or amend county or local ordinances to specify which business licenses would require applicants to be fingerprinted for a national criminal history record check.

The need for this legislation is paramount, as it will allow law enforcement agencies throughout the state to be given all the tools needed to conduct thorough background investigations. I urge quick action on this proposed legislation

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Stevenson". The signature is fluid and cursive, with a large, stylized "R" and "S".

Robert Stevenson, Chief  
Livonia Division of Police